

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES - HEALTH PROGRAMS SERVICES

- 1. Title and its heading:** 9, Health Services

Chapter and its heading: 13, Department of Health Service - Health Programs Services

Article and its heading: 1, Hearing Evaluation Services

Section numbers: R9-13-101 through R9-13-109
The Department may add, delete, or modify additional Sections as necessary.
- 2. The subject matter of the proposed rule:**

In 1997, the Department reviewed its Hearing Evaluation Services rules, R9-13-101 through R9-13-109, as required by A.R.S. § 41-1056 and determined the rules were ineffective and inconsistent. The Governor's Regulatory Review Council (G.R.R.C.) approved the 1997 Five-year Review Report (Report) on September 9, 1997. The proposed rules will address the issues identified in the Report and update the rules as needed to reflect current industry practice and Department policy. The following definitions are added for clarification to R9-13-101, as well as other definitions: audiologist, direct supervision, schools, and speech language pathologist. All of the language in R9-13-102 is repealed and replaced with new language that provides information for screening students. R9-13-103 designates which hearing screening evaluation methods are acceptable with all new language. In R9-13-104, the criteria for each screening method is detailed. The new language in R9-13-105 provides the school with procedures for notifying student's parents that their student has failed the hearing screening evaluation and provides appropriate criteria for referral to an audiologist, physician, or primary care practitioner. The new language in R9-13-106 instructs a school to notify each of the student's teachers if there is a diagnosis of a hearing impairment within 14 calendar days. The proposed language in R9-13-107 details who can perform the different methods of hearing screening evaluations. R9-13-108 delineates how often to check the equipment used for hearing screening evaluations depending on the type of equipment. Finally, R9-13-109 specifies what information the schools are to report to the Department of Health Services. Additional new Sections may be added, deleted, or modified as necessary.
- 3. A citation to all published notices relating to the proceeding:**

None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

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Arizona Administrative Register
Notices of Rulemaking Docket Opening

5. The time which the agency will accept written comments and the time and place where oral comments may be made:

Written comments:

8:00 a.m. - 5:00 p.m., Monday through Friday

Arizona Department of Health Services
1740 W. Adams Street
Phoenix, Arizona 85007

6. A timetable for agency decisions or other action on the proceeding, if known:

Unknown at this time. To be provided when the Notice of Proposed Rulemaking is filed.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY - AIR POLLUTION CONTROL

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Article and its heading: 1, General
3, Permits and Permit Revisions
9, New Source Performance Standards
11, Federal Hazardous Air Pollutants
Appendix 2, Test Methods and Protocols
Section numbers: R18-2-101, R18-2-333, R18-2-901, R18-2-1101, Appendix 2

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality (ADEQ) will be proposing new and updated incorporations by reference of the following federal regulations in state rules: New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Acid Rain, and other parts of 40 CFR. The federal regulations would be incorporated as of July 1, 1999. In addition, ADEQ will propose to amend the definition of volatile organic compounds (VOC) to exclude the compound t-butyl acetate, as proposed by the U.S. Environmental Protection Agency (EPA).

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

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5. The time which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking